

REMARKS

In the Office Action of August 9, 2005, claim 1 stands rejected under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,643,738 to Shinada et al. (the “Shinada reference”). Claims 2-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the Shinada reference in view of Japanese Patent No. 2001-1328279 to Tsukada (the “Tsukada reference”) and further in view of U.S. Patent No. 6,164,766 to Erickson (the “Erickson reference”).

In response to the Examiner’s rejections, Applicant has amended claims 1-2 and 19-20. Support for the amendments to claims 1-2 and 19 - 20 is found in Page 24 Lines 5-24. No new matter is being added. Applicant also submits a request for a three month extension of time and a Request for Continued Examination (RCE) along with the amendment. The amendments made to the claims should help clarify the scope and languages of claims and remove any ambiguities.

Rejection of Claim 1 under 35 U.S.C. §102(e)

Claim 1 is rejected as being anticipated by the Shinada reference. The Office Action on page 5 further states that “the bottom and the top of the claimed chamber are not clearly recited in the rejected claims”.

In response, Applicant has amended claim 1 to further clarify the directional orientation of the claimed chamber and the location of the communication hole between the chambers. The communication between the plurality of rooms in the presently claimed invention occurs through the upper portion. On the other hand, the Shinada reference discloses an ink cartridge that the chambers communicate through a communication hole located at the bottom of the chambers.

Further, Applicant respectfully points out to the Examiner that recitation of the apparatus disclosed in the Shinada reference in page 3 of the Office Action as “the plurality of rooms communicating with each other at upper portion (83a)” is erroneous. The Examiner’s attention is respectfully directed to column 11, line 34-41 of the Shinada reference, and more specifically to lines 18-19. At lines 18-19, the specification reads “partition 83 whose bottom portion is formed with a communication hole 83a”.

Therefore, claim 1 as amended, claiming that the communication occur at upper portion is not anticipated by the Shinada reference which discloses the chambers communicating at the bottom portion. Withdrawal of the rejection of claim 1 is respectfully requested.

Rejection of Claims 2-20 under 35 U.S.C. §103(a)

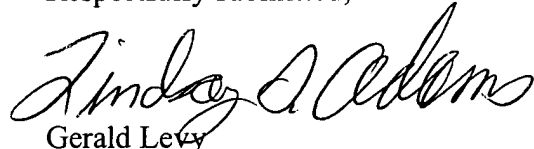
Claims 2-20 stand rejected as being obvious over the Shinada reference in view of the Tsukada reference and further in view of the Erickson reference.

However, Applicants respectfully point out that both the Tsukada reference and the Erickson reference does not disclose the limitation of communication between the plurality of rooms occurring at the upper portion. Therefore, the combination of the Shinada reference with the Tsukada reference and further with the Erickson reference, fails to teach or suggest all the limitations of claims 2-20 as amended. The rejection of claims 2-20 as being obvious over the above references should be withdrawn.

It is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the rejections of the claims, to allow the claims, and to pass this application to early issue.

Fees for a three month extension of time and a Request for Continued Examination are enclosed. Applicant does not believe that any other fees are due. However, if any additional fees are due, please charge such sums to our Deposit Account 50-1145.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald Levy", written over the printed name.

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